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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,111	12/15/2003	Dong Wei	200313534-2	5499
22879 7590 01/25/2008 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			EXAMINER MEHRMANESH, ELMIRA	
			ART UNIT 2113	PAPER NUMBER
			NOTIFICATION DATE 01/25/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## Office Action Summary

Application No.

10/737,111

Applicant(s)

WEI, DONG

Examiner

Elmira Mehrmanesh

Art Unit

2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date. _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This action is in response to an Appeal Brief filed on October 16, 2007 for the application of Wei, for a "Method and apparatus for providing updated processor polling information" filed December 15, 2003.

Claims 1-20 are pending in the application.

Claims 1-20 are rejected under 35 USC § 102.

### ***Reopening of Prosecution After Appeal Brief***


In view of the appeal brief filed on October 16, 2007, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

  
ROBERT BEAUSOLIEL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Bossen et al. (U.S. Patent No. 6,516,429).

As per claim 1, Bossen discloses a method for providing updated processor polling information comprising:

collecting processor polling information at boot time to be provided to an operating system (Fig. 4, element 412), said processor polling information describing operating conditions of an integrated processing system (col. 5, lines 50-64)

notifying the operating system that a triggering event has occurred (Fig. 4, element 414), wherein said triggering event potentially alters said operating conditions of said integrated processor system (col. 3, lines 15-20)

providing updated processor polling information during runtime to said operating system (col. 4, lines 13-27) said updated processor polling information reflecting operating conditions of said integrated processor system after the occurrence of the

triggering event (col. 4, lines 44-67).

As per claim 2, Bossen discloses creating a corrected platform error polling (CPEP) table (col. 5, lines 13-24), wherein said CPEP table is populated with processor polling information collected at boot time (col. 3, lines 32-58).

As per claim 3, Bossen discloses the triggering event is based on an addition of a processor device (col. 7, lines 5-8).

As per claim 4, Bossen discloses the triggering event is based on a deletion of a processor device (col. 4, lines 44-48).

As per claim 5, Bossen discloses the triggering event is based on a deconfiguration of a processor device (col. 4, lines 61-67).

As per claim 6, Bossen discloses performing a process on an object associated with a processor device and returning a value to an operating system of said integrated processor system, wherein said value supercedes a corresponding processor polling information (col. 3, lines 32-58).

As per claim 7, Bossen discloses the value that is returned is a zero indicating that the corresponding processor device is not to be polled (col. 4, lines 20-27).

As per claim 8, Bossen discloses the value that is returned is a non-zero number indicating a minimum polling frequency (col. 4, lines 13-27) and (col. 3, lines 32-58).

As per claim 9, Bossen discloses a computer program embodied on a computer readable medium (col. 7, lines 15-26) for providing updated processors polling information, the computer program causing a computer to perform the steps of:

creating a processor polling information table (col. 5, lines 13-24), said processor polling information table being populated with boot time processor polling information (Fig. 4, element 412), wherein said processor polling information describes operating conditions of an integrated processing system (col. 5, lines 50-64)

updating said processor polling information table upon receipt of a notification that a triggering event has occurred (col. 4, lines 13-27), wherein said triggering event may potentially alter said operating conditions of said integrated processor system (col. 3, lines 15-20).

As per claim 10, Bossen discloses said computer program further causes said computer to:

invoke a bus check notification upon an online addition of a processor device (col. 7, lines 5-8), wherein said bus check notification indicates to an operating system

that a re-enumeration of a device tree needs to be performed (col. 4, lines 13-27), and wherein said operating system invokes a Poll for corrected Platform Error (PPE) procedure that returns a value indicating a polling frequency for said added processor device (col. 3, lines 32-58).

As per claim 11, Bossen discloses said computer program further causes a computer to: invoke an eject request notification upon an online deletion of a processor device, wherein said eject request notification indicates to an operating system to update its CPEP table and not poll from said processor device which has been deleted (col. 4, lines 44-67).

As per claim 12, Bossen discloses said computer program further causes a computer to: invoke a CPEP check notification invoked by an online deconfiguration of a faulty processor device, wherein the CPEP check notification indicates to an operating system to invoke a PPE procedure indicating to said operating system alternative processor devices to be polled (col. 4, lines 44-67).

As per claim 13, Bossen discloses said computer program further causes a computer to: invoke a PPE procedure object associated with a processor device, wherein said PPE procedure object returns a value that supercedes a corresponding CPEP table processor polling information (col. 3, lines 32-58).

As per claim 14, Bossen discloses a zero return value indicates that said corresponding processor is not to be polled (col. 4, lines 20-27).

As per claim 15, Bossen discloses a non-zero return value indicates a minimum polling frequency (col. 4, lines 13-27) and (col. 3, lines 32-58).

As per claim 16, Bossen discloses an apparatus for updating processor polling information comprising:

a corrected platform error polling (CPEP) table creator for creating a CPEP table coupled to an operating system (col. 3, lines 32-58) and (col. 5, lines 13-24), said CPEP table being populated with boot time processor polling information (Fig. 4, element 412), wherein said processor polling information describes operating conditions of an integrated processor system (col. 5, lines 50-64)

a triggering event detector coupled to said operating system, said triggering event detector capable of detecting an occurrence of a triggering event (Fig. 4, element 414), where said triggering event may potentially alter said operating conditions of said integrated processor system (col. 3, lines 15-20)

a CPEP table updator (col. 4, lines 13-27) coupled to said operating system (Fig. 1, element 126) and further coupled to said triggering event detector (Fig. 1, element 124), wherein, upon a receipt of a notification of an occurrence of a triggering event from said triggering event detector, said CPEP table updator provides updated

processor polling information to said operating system based on said altered operating conditions (col. 4, lines 44-67).

As per claim 17, Bossen discloses the triggering event detector is configured to detect an event triggered by an addition or deletion of a processor device (col. 4, lines 44-48).

As per claim 18, Bossen discloses the triggering event detector is further configured to detect an event based on a deconfiguration of a processor device (col. 4, lines 44-48).

As per claim 19, Bossen discloses a polling frequency calculator coupled to said CPEP table updatator (Fig. 1, element 124) said polling frequency calculator configured to return a value that indicates a minimum polling frequency for a selected processor device (col. 3, lines 32-58).

As per claim 20, Bossen discloses said polling frequency calculator is configured to forgo polling said selected processor device when said polling frequency calculator returns a zero value for said selected processor device (col. 3, lines 32-58) and (col. 4, lines 20-27).

### ***Response to Arguments***

Applicant's arguments see Appeal Brief, filed October 16, 2007 with respect to the rejection(s) of claim(s) 1-20 have been fully considered and are persuasive.

Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made over Bossen et al. (U.S. Patent No. 6,516,429).

Refer to the corresponding section of the claim analysis for details.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elmira Mehrmanesh whose telephone number is (571) 272-5531. The examiner can normally be reached on 8-5 M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W. Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic  
Business Center (EBC) at 866-217-9197 (toll-free).

  
ROBERT BEAUSOLIEL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100